



Homeland
Security

November 17, 2010

SENT VIA EMAIL TO: requests@muckrock.com

Mr. Jason Smathers
185 Beacon St. #3
Somerville, MA 02143

Re: FOIA Request 11-OIA-0018

Dear Mr. Smathers:

This letter acknowledge receipt of your Freedom of Information Act (FOIA) requests to the Department of Homeland Security (DHS), dated November 12, 2010, in which you are seeking copies of budget requests for the DHS's Office of Intelligence and Analysis (OIA) for Fiscal years 2010 and 2011.

Your request was subsequently referred and received in the Office of Intelligence and Analysis (I&A) on November 15, 2010.

First please be advised that the Federal Procurement Data System (FPDS) is a publicly available database of all federal procurement actions. This tool is available at <https://fpds.gov> and allows registered users to conduct searches and generate reports on procurement data. Additional information is also available on the FedBizOpps website at <https://www/fbo.gov> by using the solicitation number

Upon initial review of your FOIA request, I have determined that your request is too broad in scope, as written, or did not specifically identify the records which you are seeking. Records must be described in reasonably sufficient detail to enable government employees who are familiar with the subject area to locate records without placing an unreasonable burden upon the agency. For this reason, § 5.21(b) of the DHS Privacy Act regulations, 6 C.F.R. Part 5, requires that you describe the records you are seeking with as much information as possible to ensure our search of appropriate systems of records can locate them with a reasonable amount of effort. Whenever possible, a request should include specific information about each record sought, such as the date, title or name, author, recipients, and subject matter of the records, if known, or the DHS component or office you believe created and/or controls the record.

The FOIA does not require an agency to create new records, answer questions posed by requesters, or attempt to interpret a request that does not identify specific records, but rather is limited to requiring agencies to provide access to reasonably described, nonexempt records. NLRB v. Sears, Roebuck & Co., 421 U.S. 132, 162 (1975); Zemansky v. EPA, 767 F.2d 569,

574 (9th Cir. 1985). As you have failed to reasonably describe the records you are seeking, your request is not a perfected request, and we are unable to initiate a search for responsive records. If you would like us to initiate a search for records responsive to your request, in addition to the information that you provided this description should include the types of budget request, i.e., office supplies, equipment, computer software, etc.

Please resubmit your request containing a reasonable description of the records you are seeking. Upon receipt of a perfected request, you will be advised as to the status of your request.

If we do not hear from you within 30 days from the date of this letter, we will assume you are no longer interested in this FOIA request, and the case will be administratively closed. Please be advised that this action is not a denial of your request and will not preclude you from filing other requests in the future.

If you have any questions or would like to discuss this matter, please feel free to contact this office at 202-447-4265 and refer to **11-OIA-0018**.

Sincerely,
Original Signed
Quinton S. Mason
FOIA Officer
Office of Intelligence and Analysis